IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 24TH AUGUST 2006 / 2ND BHADRA 1928

Bail Appl..No. 5204 of 2006

CRMP.3702/2006 of DISTRICT COURT, THODUPUZHA
CP.20/2006 of J.M.F.C., KATTAPPANA
CRIME NO. 56/2002 OF KATTAPPANA EXCISE RANGE

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PETITIONER/ACCUSED:

BINOY, S/O. GOPALAN,
AGED 38 YEARS, MUKALEL HOUSE, VELLILAMKANDOM,
KALTHOTTY KARA, KATTAPPANA, IDUKKI DISTRICT.

BY ADV. SRI.JOICE GEORGE

RESPONDENTS: COMPLAINANT:

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1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE EXCISE INSPECTOR,
EXCISE RANGE OFFICE, KATTAPPANA.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5204/2006

DATED THIS THE 24TH DAY OF AUGUST, 2006

O R D E R

The petitioner apprehends arrest in C.R.No.56/2002 of Kattappana Excise Range, as he was found in illegal possession of 3.5 liters of illicit arrack, on 20.8.2002, by the Excise Range Officials. However, he could not be arrested.

2. The prosecution submitted that the investigation is complete and the matter is now pending as C.P.No.20/2006 before the Court below. In the facts situation, I direct the petitioner to surrender before the Judicial Magistrate of First Class, Kattappana, on 1.9.2006 at 11.00 a.m., and move an application for bail.

3. The learned Magistrate shall allow the petitioner to be on bail, imposing such conditions, as are deemed necessary, so that petitioner would be available before that Court, during the trial.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs